

Introduced by:

DAVE MOONEY

NO. 70-213

ORDINANCE # 00451

AN ORDINANCE relating to and regulating the design, construction, equipping, operation, and maintenance of spray and wading pools, public and semi-public swimming pools; requiring plans and permits; establishing safety, water quality and sanitation standards; establishing a Swimming Pool Advisory Committee; defining offenses and providing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

Section 1. DEFINITIONS. Certain words and phrases used in this ordinance, unless otherwise clearly indicated by their context, shall mean as follows:

1. APPROVED. Approved in writing by the Director of Public Health.

2. DIRECTOR OF PUBLIC HEALTH. The Director of the Seattle-King County Department of Public Health or his authorized representative.

3. SWIMMING POOL. Any structure, basin, chamber, or tank containing an artificial body of water for swimming, diving, or recreational bathing and having a depth of two feet or more at any point and including all facilities incident thereto.

4. PUBLIC SWIMMING POOL. Any swimming pool together with buildings and appurtenances in connection therewith which is available to the general public with or without payment of an admission charge for the use of same; and shall include any swimming pool where the same is 1500 square feet or more in surface area whether or not available to the general public; or any swimming pool not otherwise defined in this section.

5. SEMI-PUBLIC SWIMMING POOL. Any swimming pool provided for and used by numbers of persons or multiple family or cooperative groups such as, but not limited to, hotels, motels, trailer parks, apartments, subdivisions, community clubs, private clubs, institutions, or schools, the use of which is limited to such groups and their invited guests and where the same is less than 1500 square feet in surface area.

6. WADING POOL. Any artificial pool of water intended and constructed for wading purposes which is not over two feet in depth at any point.

7. SPRAY POOL. Any pool or artificially constructed depression intended for use by children, into which water is sprayed but is not allowed

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1 to pond in the bottom of the pool.

2 8. PRIVATE POOL. Any swimming pool, wading pool or spray pool main-
3 tained by an individual, the use of which is confined to members of his family
4 or invited guests. Private pools shall not be subject to the provisions of this
5 ordinance.

6 9. PERSON. Any individual, or a firm, partnership, company, corpo-
7 ration, trustee, association, or any public or private entity.

8 10. PERMIT HOLDER. Person to whom permit is issued or his authorized
9 agent.

10 Section 2. SWIMMING POOL ADVISORY COMMITTEE. There is hereby estab-
11 lished a "Swimming Pool Advisory Committee" the members of which shall be the
12 same as that created under Seattle City Ordinance # 98755

13 The Swimming Pool Advisory Committee shall organize and elect a chair-
14 man and secretary who shall serve at the pleasure of the members. Such Committee
15 may adopt rules of procedure for its own government and shall meet at the call
16 of the Chairman, subject to three days written notice to each member of the time
17 and place of such meeting.

18 The Swimming Pool Advisory Committee may examine proposed rules and
19 regulations of the Director of Public Health related to this ordinance, hold hear-
20 ings, and may make recommendations thereon, and it may make recommendations for
21 changes in this ordinance, but it shall act in an advisory capacity only.

22 Section 3. ENFORCEMENT. The Director of Public Health shall enforce
23 this ordinance and for such purpose may establish rules and regulations consis-
24 tent with this ordinance and relating to such standards of construction, disin-
25 fection, recirculation, filtration, water quality, and waste disposal as are
26 reasonably necessary to ensure safe and sanitary operation of public or semi-
27 public swimming pools, wading pools, and spray pools. The Director of Public
28 Health may with the consent of the occupant thereof or pursuant to a lawfully
29 issued warrant enter any building or premises at any reasonable time to perform
30 any of the duties imposed on him by this ordinance.

31 Section 4. RETROACTIVITY. The provisions of this ordinance shall
32 apply equally to new and existing public or semi-public swimming pools, wading

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1 pools, and spray pools; provided that it shall not make unlawful any existing
2 pool heretofore lawfully designed, constructed and equipped which is maintained
3 and operated in compliance with this ordinance.

4 Section 5. PERMIT TO OPERATE. A. It shall be unlawful for any person
5 to open for use, or allow or cause to be used any public or semi-public swimming
6 pool for swimming or bathing purposes without having a current, valid permit to
7 operate issued by the Director of Public Health. Application for such permit ac-
8 companied by an annual fee of Seventy-five (\$75.00) shall be made in writing to
9 the Director of Public Health on a form to be provided by him; provided that the
10 fee for any initial permit to operate shall be prorated on the basis of one-
11 twelfth the annual fee for each remaining month in the year. The Director of
12 Public Health shall inspect the proposed public or semi-public swimming pool and
13 upon determination that such swimming pool complies with applicable rules and
14 regulations and the provisions of this ordinance shall issue a permit to operate
15 to such applicant. Permits to operate shall expire on December 31 of the year
16 for which issued and shall be renewable upon like application and payment of the
17 annual fee. Permits shall be valid only as to the swimming pool for which issued,
18 but upon application may be transferred without charge from person to person.
19 Permits shall be posted conspicuously on the premises for which issued and shall
20 be protected from the weather.

21 B. Any permit may be suspended temporarily by the Director of Public
22 Health for failure of the permit holder, or of the swimming pool for which issued,
23 to comply with the requirements of this ordinance or of the rules and regulations
24 established in accordance herewith.

25 Whenever the Director of Public Health finds that a violation of this
26 ordinance or of the rules and regulations established in accordance herewith, has
27 created or is creating an insanitary or hazardous condition he shall cause to be
28 issued and served upon the permit holder or posted on the premises an order set-
29 ting forth the violations creating such insanitary or hazardous conditions, speci-
30 fying the corrective action to be taken, and the period of time within which such
31 violations shall be corrected. Any permit holder to whom such an order is issued
32 shall, upon written petition to the Director of Public Health within five days

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1 after the issuance of such order, be afforded a hearing thereon within five days
2 of the filing of such petition.

3 Upon failure of the permit holder to comply with any order issued in
4 accordance with the provisions of this ordinance, the Director of Public Health
5 shall cause to be issued and served upon the permit holder or posted on the prem-
6 ises a notice that such permit is suspended effective upon such service or post-
7 ing, and that a hearing on such suspension will be provided if a written request
8 therefor is filed within five days after the issuance of such notice by said
9 permit holder with the Director of Public Health. Upon suspension of any permit
10 in accordance with the provisions of this ordinance, all use of the swimming pool
11 for which such permit has been issued shall cease.

12 Notwithstanding any other provisions of this ordinance, whenever the
13 Director of Public Health finds that a violation of this ordinance or of the rules
14 and regulations established in accordance herewith, has created or is creating
15 an insanitary or hazardous condition constituting so serious a hazard to health
16 or safety as to require immediate closure of the swimming pool, he may, without
17 notice or hearing suspend, effective immediately, the permit to operate such
18 swimming pool, and all use of such swimming pool shall cease immediately; pro-
19 vided that any person whose permit is so suspended, shall upon written petition
20 to the Director of Public Health filed within five days after such suspension be
21 afforded a hearing within five days of the filing of such petition.

22 C. Any person whose permit to operate has been suspended may, at any
23 time, make written application for reinstatement of such permit. Such application
24 shall include a statement, signed by the applicant, that conditions causing such
25 suspension have been corrected. Within five days after receipt of such applica-
26 tion, the Director of Public Health shall inspect such swimming pool and if he
27 finds that such swimming pool complies with the provisions of this ordinance and
28 the rules and regulations established in accordance herewith, he shall reinstate
29 such permit to operate.

30 D. For serious or repeated violations of any of the requirements of
31 this ordinance or of the rules and regulations established in accordance herewith,
32 or for interference with the Director of Public Health in the performance of his

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1 duties, or for failure to comply with any lawful order issued in accordance with
2 the provisions of this ordinance, the Director of Public Health may revoke any
3 permit to operate by issuing and causing to be served upon the permit holder a
4 notice in writing setting forth the reasons for such revocation and advising that
5 such permit shall be revoked effective five days after service of such notice un-
6 less a written request for hearing is filed with the Director of Public Health
7 within such five day period. A permit may be suspended for cause pending its
8 revocation or a hearing relative thereto.

9 E. Hearings provided by this ordinance to be held on the suspension
10 or revocation of a permit to operate or regarding an order of the Director of
11 Public Health shall be conducted by the Director of Public Health at such time
12 and place as said Director shall designate. At any such hearing, the permit
13 holder may appear in person, or otherwise, and may testify, call witnesses and
14 cross-examine. The Director of Public Health shall make findings and shall sus-
15 tain, modify or rescind any official notice or order considered at such hearing,
16 and shall furnish a copy of his written decision to the permit holder.

17 F. Notices provided by this ordinance to be served on the permit
18 holder shall be deemed served when delivered personally to the permit holder or
19 his agent, or when sent by certified mail to the last known address of the per-
20 mit holder.

21 Section 6. PLANS AND SPECIFICATIONS FOR CONSTRUCTION, ALTERATION OR
22 RENOVATION. A. No person shall construct, alter or renovate, or commence con-
23 struction, alteration, or renovation of any public or semi-public swimming pool,
24 wading pool, spray pool, or appurtenances thereto, without first having obtained
25 the approval of the Director of Public Health of plans and specifications for any
26 such construction, alteration or renovation. Such plans and specifications shall
27 be submitted to the Director of Public Health in duplicate and in the case of new
28 pools shall be prepared by an architect or professional engineer qualified in the
29 proposed work and licensed to practice such profession under the laws of the State
30 of Washington. Such plans shall be accompanied by a plan review fee based on the
31 following schedule:

32 New pool

\$75.00

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1 Renovation (including extensive
2 changes in equipment, piping or
3 pool structure costing in excess
4 of \$1500.00) \$50.00

5 Alteration (including change of
6 filtration equipment, pumps, or
7 other mechanical equipment) \$10.00

8 Plans shall be drawn to scale and accompanied by specifications containing details
9 on all recirculation and chemical equipment, including pumps, disinfection equip-
10 ment, chemical feeders, filters, meters, strainers, overflow channels and/or
11 skimming facilities and related equipment so as to enable a comprehensive engi-
12 neering review of such plans and specifications including piping and hydraulic
13 details. If upon examination of such plans and specifications the Director of
14 Public Health finds that the proposed construction, alteration or renovation will
15 comply with the provisions of this ordinance and applicable rules and regulations
16 established in accordance herewith, he shall approve the same; provided that such
17 approval may be conditioned upon the making of such modifications in such plans
18 and specifications as the public health of safety may require.

19 B. The construction, alteration or renovation of any public or semi-
20 public swimming pool, wading pool, spray pool, or appurtenances thereto shall be
21 made in accordance with approved plans and specifications therefor; provided that
22 changes or modifications in such plans and specifications consistent with the pub-
23 lic health and safety may be made with the written approval of the Director of
24 Public Health. Upon completion of any such construction, alteration, or modifi-
25 cation, the owner or operator of such pool, or the agent of either, shall notify
26 the Director of Public Health of its readiness for inspection and no such pool
27 shall be opened for use or allowed or caused to be used until inspected by the
28 Director of Public Health and found to be in compliance with the provisions of
29 this ordinance and applicable rules and regulations established in accordance
30 herewith.

31 Section 7. OPERATION AND MAINTENANCE. A. All public or semi-public
32 swimming pools, spray pools, wading pools, and all components thereof and

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1 appurtenances thereto and premises thereof, shall be maintained in a clean and
2 sanitary condition at all times such pool is open to bathers.

3 B. The permit holder shall be responsible for the maintenance, opera-
4 tion and use of the public or semi-public swimming pool for which such permit is
5 issued, and shall provide one or more operators or attendants at such times as
6 shall be necessary for the maintenance and operation of such swimming pool in com-
7 pliance with the provisions of this ordinance and applicable rules and regulations
8 established in accordance herewith. All such operators and attendants shall be
9 familiar with the equipment and appurtenances of such swimming pool and the
10 principles of pool operation.

11 Section 8. WATER QUALITY. The water in all public or semi-public
12 swimming, wading and spray pools shall, at all times, meet such standards of
13 chemical, physical and bacteriological quality as the Director of Public Health
14 shall establish to ensure that persons using such pools shall not be exposed to
15 toxic or irritating chemical conditions, or disease producing organisms.

16 Section 9. DISINFECTION. A disinfecting process or procedure having
17 a minimum free chlorine residual of 0.4 ppm or such other process or procedure
18 approved by the Director of Public Health for the purpose of ensuring adequate
19 and continuous disinfection of water throughout the pool during the period such
20 pool is in use shall be used in all public or semi-public swimming and wading
21 pools.

22 Section 10. RECIRCULATION AND FILTRATION. RECIRCULATION AND FILTRATION.
23 Recirculation and filtration equipment adequate to recirculate and filter the
24 entire volume of water at least once every six hours shall be provided for every
25 public swimming pool, and at least once every twelve hours for every semi-public
26 swimming pool, or wading pool, or more often in any such pool subject to excessive
27 contamination, and such equipment shall be in operation at all times such pool is
28 open for use; provided, that such recirculation and filtration equipment need not
29 be provided for a flow-through pool in which the supply of water meets the water
30 quality requirements of Section 8 hereof, the disinfection requirements of Sec-
31 tion 9 hereof, and is sufficient to provide a complete change of water within the
32 period required by this section, and the introduction of such water supply into

1 the pool is accomplished by the same type of inlet design required for recircu-
2 lation pools.

3 Section 11. WASTE. All water from backwash, filter residues, and
4 other waste in any public or semi-public swimming pool, wading pool or spray
5 pool shall be disposed of in a safe and sanitary manner approved by the Director
6 of Public Health.

7 Section 12. CROSS-CONNECTIONS. No piping arrangement shall be in-
8 stalled or used in any public or semi-public swimming pool, wading pool, or spray
9 pool, which under any condition will permit sewage or waste water to enter the
10 recirculation system or the pool, or which will permit water from the recircula-
11 tion system or the pool to enter the potable water supply or make-up water supply.

12 Section 13. OPERATING RECORDS. At all public or semi-public swimming
13 pools and wading pools, complete daily records shall be kept of the times each
14 filter is backwashed or cleaned, and of the results of all tests made as to
15 water quality and disinfectant residual. Such records shall be made available at
16 any reasonable time for examination by the Director of Public Health.

17 Section 14. ALTERNATE MATERIALS, EQUIPMENT OR PROCEDURES. For the
18 purpose of evaluating equipment, materials, or procedures, or to meet any tem-
19 porary emergency condition, the Director of Public Health may, consistent with
20 the public health and safety, permit the use of materials, equipment and proce-
21 dures not specifically prescribed by this ordinance or rules and regulations
22 established in accordance herewith.

23 Section 15. PENALTIES. Anyone violating or failing to comply with
24 any of the provisions of this ordinance or lawful order of the Director of Pub-
25 lic Health pursuant hereto shall upon conviction thereof be punishable by a fine
26 of not to exceed two hundred and fifty dollars (\$250.00), or by imprisonment for
27 not more than six months, or both such fine and imprisonment, and each day that
28 anyone shall continue to so violate or fail to comply shall constitute a separate
29 offense.

30 Section 16. SEVERABILITY. The several provisions of this ordinance
31 are hereby declared to be separate and severable and the invalidity of any
32 clause, sentence, paragraph, subdivision, section or portion of this ordinance

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or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance or the validity of its application to other persons and circumstances.

PASSED by the Council at a regular meeting thereof on
the 18th day of May, 19 70.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Chairman

ATTEST:

Clerk of the Council

APPROVED this 25th day of May, 1970.

~~King County Executive~~

ORDINANCE READINGS

1 - April 27, 1970

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Effective Date.....